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17 Attorneys for Plaintiff  
18 UNITED STATES OF AMERICA

19 UNITED STATES DISTRICT COURT

20 FOR THE CENTRAL DISTRICT OF CALIFORNIA

21 UNITED STATES OF AMERICA,

22 No. CR 2:24-CR-00570-WLH

23 Plaintiff,

24 STIPULATION AND JOINT REQUEST FOR  
25 A PROTECTIVE ORDER REGARDING  
26 DISCOVERY CONTAINING PERSONAL  
27 IDENTIFYING INFORMATION, MEDICAL  
28 INFORMATION, PRIVACY ACT  
29 INFORMATION, AND CONFIDENTIAL  
30 INFORMANT INFORMATION

31 PROPOSED ORDER FILED SEPARATELY

32 CLAIRE PATRICIA HAVILAND, et  
33 al.,  
34 CLAIRE PATRICIA HAVILAND (1),  
35 BRIAN GLENN EKELUND (2),  
36 STEVEN MICHAEL SILVERBERG (5),  
37 CORY DANIEL SIMS (7),  
38 ROBERT M. SLAYTON (11),  
39 MICHAEL VITANZA (12),  
40 PAUL JOHN PICHIE (13),  
41 GUY MANNING WILLS (15),  
42 CHARISSA MARIE CHOTARD (16),  
43 JULIE ANN ROMERO (17),  
44 CYNTHIA VAN VLYMEN (18),  
45 PAGET GARY EKELUND (21),  
46 SCOTT JOSHUA VENNUM (22),  
47 MICHAEL ANTHONY CHATTERTON  
48 (23), CHRISTOPHER CRAIG (25),  
49 GABRIELA IBARRA (26),  
50 RICHARD KEVIN RILEY (29),  
51 ADAM L. RODNEY (32),  
52 TARA JANE BECKWITH  
53 (36), ALBERT ETHAN EKLUND  
54 (42), CIARA JACOBS (44),  
55 JAMES ALLEN THAEMERT (51),  
56 DAVID MITCHELL SHAPIRO (52),  
57 SEAN CRAIG GLUCKMAN (53),

1 CHRISTOPHER MARK PREVEDELLO  
2 (56), HENISI UTSLER (59),  
3 REBEKA ANNA BENEDICT (60),  
4 TANYA NURRIA RESNICK (64),

Defendants.

5 Plaintiff United States of America, by and through its counsel  
6 of record, the United States Attorney for the Central District of  
7 California and Assistant United States Attorneys Reema El-Amamy and  
8 Jeremiah Levine, and defendants CLAIRE PATRICIA HAVILAND (1),  
9 BRIAN GLENN EKELUND (2), STEVEN MICHAEL SILVERBERG (5), CORY DANIEL  
10 SIMS (7), ROBERT M. SLAYTON (11), MICHAEL VITANZA (12), PAUL JOHN  
11 PICHIE (13), GUY MANNING WILLS (15), CHARISSA MARIE CHOTARD (16),  
12 JULIE ANN ROMERO (17), CYNTHIA VAN VLYMEN (18), PAGET GARY EKELUND  
13 (21), SCOTT JOSHUA VENNUM (22), MICHAEL ANTHONY CHATTERTON (23),  
14 CHRISTOPHER CRAIG (25), GABRIELA IBARRA (26), RICHARD KEVIN RILEY  
15 (29), ADAM L. RODNEY (32), TARA JANE BECKWITH (36), ALBERT ETHAN  
16 EKLUND (42), CIARA JACOBS (44), JAMES ALLEN THAEMERT (51), DAVID  
17 MITCHELL SHAPIRO (52), SEAN CRAIG GLUCKMAN (53), CHRISTOPHER MARK  
18 PREVEDELLO (56), HENISI UTSLER (59), REBEKA ANNA BENEDICT (60), and  
19 TANYA NURRIA RESNICK (64), ("defendants"), by and through their  
20 respective counsels of record, (collectively the "parties"), for the  
21 reasons set forth below, request that the Court enter the proposed  
22 protective order (the "Protective Order") governing the use and  
23 dissemination of 1) personal identifying information ("PII") of real  
24 persons pursuant to Federal Rule of Criminal Procedure Rule  
25 16(d)(1), (2) medical or health information, (3) material that may  
26 contain information within the scope of the Privacy Act, and  
27 (4) information related to confidential informants and/or  
28 cooperating witnesses who may testify at trial.

1        Introduction and Grounds for Protective Order

2        1. Defendants are charged in this matter with violations  
3 of 18 U.S.C. § 1962(d): Racketeer Influenced and Corrupt  
4 Organizations Conspiracy; 21 U.S.C. § 846: Conspiracy to Distribute  
5 and to Possess with Intent to Distribute Controlled Substances; 18  
6 U.S.C. § 1349: Conspiracy To Commit Bank Fraud; 18 U.S.C. § 1344:  
7 Bank Fraud; 18 U.S.C. § 1028A: Aggravated Identity Theft; 21 U.S.C.  
8 §§ 841(a)(1), (b)(1)(A), (b)(1)(B), (b)(1)(C), (b)(2): Possession  
9 with Intent to Distribute and Distribution of Controlled Substances;  
10 18 U.S.C. § 922(g)(1): Felon in Possession of a Firearm and  
11 Ammunition; 18 U.S.C. § 924(c)(1)(A): Possess a Firearm in  
12 Furtherance of a Drug Trafficking Crime; 18 U.S.C. § 1029(a)(3):  
13 Possession of Fifteen or More Unauthorized Access Devices; 18 U.S.C.  
14 § 2(a): Aiding and Abetting.

15        2. A protective order is necessary because the government  
16 intends to produce to the defense materials regarding confidential  
17 informants or cooperating witnesses who participated in the  
18 government's investigation and who may testify at trial. Because  
19 these materials could be used to identify the confidential  
20 informants or cooperating witnesses, the government believes that  
21 the unauthorized dissemination or distribution of the materials may  
22 compromise the ability of such persons to participate effectively in  
23 future investigations in an undercover capacity and/or may expose  
24 him/her to potential safety risks.

25        3. A protective order is also necessary because the  
26 government intends to produce to the defense materials containing  
27 third parties' PII and medical information. The government believes  
28 that disclosure of this information without limitation risks the

1 privacy and security of the information's legitimate owners. The  
2 medical information at issue may also be subject to various federal  
3 laws protecting the privacy of medical records, including provisions  
4 of the Privacy Act, 5 U.S.C. § 552a; provisions of 45 C.F.R.  
5 §§ 164.102-164.534; and/or provisions of 42 U.S.C. § 1306. Because  
6 the government has an ongoing obligation to protect third parties'  
7 PII and medical information, the government cannot produce to  
8 defendant an unredacted set of discovery containing this information  
9 without the Court entering the Protective Order. Moreover, PII and  
10 medical information make up a significant part of the discovery in  
11 this case and such information itself, in many instances, has  
12 evidentiary value. If the government were to attempt to redact all  
13 this information in strict compliance with Federal Rule of Criminal  
14 Procedure 49.1, the Central District of California's Local Rules  
15 regarding redaction, and the Privacy Policy of the United States  
16 Judicial Conference, the defense would receive a set of discovery  
17 that would be highly confusing and difficult to understand, and it  
18 would be challenging for defense counsel to adequately evaluate the  
19 case, provide advice to defendant, or prepare for trial.

20 4. An order is also necessary because the government intends  
21 to produce to the defense materials that may contain information  
22 within the scope of the Privacy Act, 5 U.S.C. § 552a ("Privacy Act  
23 Information"). To the extent that these materials contain Privacy  
24 Act Information, an order is necessary to authorize disclosure  
25 pursuant to 5 U.S.C. § 552a(b) (11).

26 5. The purpose of the Protective Order is to (a) allow the  
27 government to comply with its discovery obligations while protecting  
28 this sensitive information from unauthorized dissemination, and

1 (b) provide the defense with sufficient information to adequately  
2 represent defendant.

3 Definitions

4 6. The parties agree to the following definitions:

5 a. "CI Materials" includes any information relating to a  
6 confidential informant's or cooperating witness's prior history of  
7 cooperation with law enforcement, prior criminal history,  
8 statements, or any other information that could be used to identify  
9 a confidential informant or cooperating witness, such as a name,  
10 image, address, date of birth, or unique personal identification  
11 number, such as a Social Security number, driver's license number,  
12 account number, or telephone number.

13 b. "PII Materials" includes any information that can be  
14 used to identify a person, including a name, address, date of birth,  
15 Social Security number, driver's license number, telephone number,  
16 account number, email address, or personal identification number.

17 c. "Medical Materials" includes any individually  
18 identifiable health information that is connected to a patient's  
19 name, address, or other identifying number, such as a Social  
20 Security number or Medicare/Medi-Cal number.

21 d. "Confidential Information" refers to any document or  
22 information containing: CI Materials, PII Materials, or Medical  
23 Materials that the government produces to the defense pursuant to  
24 this Protective Order and any copies thereof.

25 e. "Defense Team" includes (1) defendant's counsel of  
26 record ("defense counsel"); (2) other attorneys who may be consulted  
27 regarding the case (including counsel for other parties, and their  
28 defense team members, who have been granted access to the

1 Confidential Information); (3) defense investigators who are  
2 assisting defense counsel with this case; (4) retained experts or  
3 potential experts; and (5) paralegals, legal assistants, and other  
4 support staff to defense counsel who are providing assistance on  
5 this case. The Defense Team does not include defendant, defendant's  
6 family members, or any other associates of defendant.

7 Terms of the Protective Order

8 7. The parties jointly request the Court enter the Protective  
9 Order, which will permit the government to produce Confidential  
10 Information in a manner that preserves the privacy and security of  
11 third parties. The parties agree that the following conditions in  
12 the Protective Order will serve these interests:

13 a. The government is authorized to provide defense  
14 counsel with Confidential Information marked with the following  
15 legend: "CONFIDENTIAL INFORMATION -- CONTENTS SUBJECT TO PROTECTIVE  
16 ORDER." The government may put that legend on the digital medium  
17 (such as DVD or hard drive) or simply label a digital folder on the  
18 digital medium to cover the content of that digital folder. The  
19 government may also redact any PII contained in the production of  
20 Confidential Information.

21 b. If defendant objects to a designation that material  
22 contains Confidential Information, the parties shall meet and  
23 confer. If the parties cannot reach an agreement regarding  
24 defendant's objection, defendant may apply to the Court to have the  
25 designation removed.

26 c. Defendant and the Defense Team agree to use the  
27 Confidential Information solely to prepare for any pretrial motions,  
28 plea negotiations, trial, and sentencing hearing in this case, as

1 well as any appellate and post-conviction proceedings related to  
2 this case.

3                   d. The Defense Team shall not permit anyone other than  
4 the Defense Team to have possession of Confidential Information,  
5 including defendant, while outside the presence of the Defense Team.

6                   e. Defendants may see and review CI Materials only in  
7 the presence of a member of the Defense Team, who shall ensure that  
8 defendant is never left alone with any CI Materials. At the  
9 conclusion of any meeting with defendant at which defendant is  
10 permitted to view CI Materials, defendant must return any CI  
11 Materials to the Defense Team, and the member of the Defense Team  
12 present shall take all such materials with him or her. Defendant  
13 may not take any CI Materials out of the room in which defendant is  
14 meeting with the Defense Team.

15                   f. Defendant may review PII Materials and Medical  
16 Materials only in the presence of a member of the Defense Team, who  
17 shall ensure that defendant is never left alone with any PII  
18 Materials or Medical Materials. At the conclusion of any meeting  
19 with defendant at which defendant is permitted to view PII Materials  
20 or Medical Materials, defendant must return any PII Materials or  
21 Medical Materials to the Defense Team, and the member of the Defense  
22 Team present shall take all such materials with him or her.  
23 Defendant may not take any PII Materials or Medical Materials out of  
24 the room in which defendant is meeting with the Defense Team.

25                   g. Defendant may see and review Confidential Information  
26 as permitted by this Protective Order, but defendant may not copy,  
27 keep, maintain, or otherwise possess any Confidential Information in  
28 this case at any time. Defendant also may not write down or

1 memorialize any data or information contained in the Confidential  
2 Information.

3                   h. The Defense Team may review Confidential Information  
4 with a witness or potential witness in this case, including  
5 defendant. A member of the Defense Team must be present whenever  
6 any CI Materials are being shown to a witness or potential witness.  
7 A member of the Defense Team must be present if PII Materials or  
8 Medical Materials are being shown to a witness or potential witness.  
9 Before being shown any portion of Confidential Information, however,  
10 any witness or potential witness must be informed of the  
11 requirements of the Protective Order and a Defense Team member must  
12 document such.

13                   i. No member of the Defense Team shall permit a witness  
14 or potential witness to retain Confidential Information or any notes  
15 generated from Confidential Information.

16                   j. The Defense Team shall maintain Confidential  
17 Information safely and securely, and shall exercise reasonable care  
18 in ensuring the confidentiality of those materials by (1) not  
19 permitting anyone other than members of the Defense Team, defendant,  
20 witnesses, and potential witnesses, as restricted above, to see  
21 Confidential Information; (2) not divulging to anyone other than  
22 members of the Defense Team, defendant, witnesses, and potential  
23 witnesses, the contents of Confidential Information; and (3) not  
24 permitting Confidential Information to be outside the Defense Team's  
25 offices, homes, vehicles, or personal presence. CI Materials shall  
26 not be left unattended in any vehicle.

27                   k. To the extent that defendant, the Defense Team,  
28 witnesses, or potential witnesses create notes that contain, in

1 whole or in part, Confidential Information, or to the extent that  
2 copies are made for authorized use by members of the Defense Team,  
3 such notes, copies, or reproductions become Confidential Information  
4 subject to the Protective Order and must be handled in accordance  
5 with the terms of the Protective Order.

6           1. The Defense Team shall use Confidential Information  
7 only for the litigation of this matter and for no other purpose.  
8 Litigation of this matter includes any appeal filed by defendant and  
9 any motion filed by defendant pursuant to 28 U.S.C. § 2255. In the  
10 event that a party needs to file Confidential Information with the  
11 Court, the party seeking to file such information shall redact any  
12 Confidential Information and make all reasonable attempts to limit  
13 the divulging of Confidential Information.

14           m. The parties agree that any Confidential Information  
15 inadvertently produced in the course of discovery prior to entry of  
16 the Protective Order shall be subject to the terms of the Protective  
17 Order. If Confidential Information was inadvertently produced prior  
18 to entry of the Protective Order without being marked "CONFIDENTIAL  
19 INFORMATION -- CONTENTS SUBJECT TO PROTECTIVE ORDER," the government  
20 shall reproduce the material with the correct designation and notify  
21 defense counsel of the error. The Defense Team shall take immediate  
22 steps to destroy the unmarked material, including any copies.

23           n. The parties agree that if any Confidential  
24 Information contains both CI Materials and another category of  
25 Confidential Information, the information shall be handled in  
26 accordance with the CI Materials provisions of the Protective Order.

27           o. Confidential Information shall not be used by the  
28 defendant or Defense Team, in any way, in any other matter, absent

1 an order by this Court. All materials designated subject to the  
2 Protective Order maintained in the Defense Team's files shall remain  
3 subject to the Protective Order unless and until such order is  
4 modified by this Court. Within 30 days of the conclusion of  
5 appellate and post-conviction proceedings, defense counsel shall  
6 return CI Materials to the government or certify that such materials  
7 have been destroyed. Within 30 days of the conclusion of appellate  
8 and post-conviction proceedings, defense counsel shall return all  
9 PII Materials or Medical Materials, certify that such materials have  
10 been destroyed, or certify that such materials are being kept  
11 pursuant to the California Business and Professions Code and the  
12 California Rules of Professional Conduct.

13 p. In the event that there is a substitution of counsel  
14 prior to when such documents must be returned, new defense counsel  
15 must be informed of, and agree in writing to be bound by, the  
16 requirements of the Protective Order before the undersigned defense  
17 counsel transfers any Confidential Information to the new defense  
18 counsel. New defense counsel's written agreement to be bound by the  
19 terms of the Protective Order must be returned to the Assistant U.S.  
20 Attorney assigned to the case. New defense counsel then will become  
21 the Defense Team's custodian of materials designated subject to the  
22 Protective Order and shall then become responsible, upon the  
23 conclusion of appellate and post-conviction proceedings, for  
24 (1) returning to the government, certifying the destruction of, or  
25 retaining pursuant to the California Business and Professions Code  
26 and the California Rules of Professional Conduct all PII Materials  
27 or Medical Materials; and (2) returning to the government or  
28 certifying the destruction of all CI Materials.

1                   q. Defense counsel agrees to advise defendant and all  
2 members of the Defense Team of their obligations under the  
3 Protective Order and ensure their agreement to follow the Protective  
4 Order, prior to providing defendant and members of the Defense Team  
5 with access to any materials subject to the Protective Order.

6                   r. Defense Counsel has conferred with defendant  
7 regarding this stipulation and the proposed order thereon, and  
8 defendant agrees to the terms of the proposed order.

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1 s. Accordingly, the parties have agreed to request that  
2 the Court enter a protective order in the form submitted herewith.

3 IT IS SO STIPULATED.

4 DATED: October 14, 2024

E. MARTIN ESTRADA  
United States Attorney

6 MACK E. JENKINS  
7 Assistant United States Attorney  
Chief, Criminal Division

8 /s/ Jeremiah Levine  
9 JEREMIAH LEVINE  
10 Assistant United States Attorney

11 Attorneys for Plaintiff  
12 UNITED STATES OF AMERICA

13 DATED: 10/23/24

14 /s/  
15 DANIEL A NARDONI  
16 Attorney for Defendant  
17 CLAIRE PATRICIA HAVILAND

18 DATED: 10/23/24

19 /s/  
20 CHRISTY O'CONNOR  
21 Attorney for Defendant  
22 BRIAN GLENN EKELUND

23 DATED: 10/23/24

24 /s/  
25 DANIEL KOFFMANN  
26 Attorney for Defendant  
27 STEVEN MICHAEL SILVERBERG

28 DATED: 10/23/24

/s/  
MELISSA A. WEINBERGER  
Attorney for Defendant  
CORY DANIEL SIMS

DATED: 10/23/24

/s/  
ROBERT KIM SCHWARZ  
Attorney for Defendant  
ROBERT M. SLAYTON

1  
2 DATED: 10/23/24

\_\_\_\_\_  
/s/  
MICHAEL M. CRAIN  
Attorney for Defendant  
MICHAEL VITANZA

3  
4  
5 DATED: 10/23/24

\_\_\_\_\_  
/s/  
DAVID R. EVANS  
Attorney for Defendant  
PAUL JOHN PICHIE

6  
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8 DATED: 10/23/24

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28 /s/  
\_\_\_\_\_  
JEREMY D. WARREN  
Attorney for Defendant  
GUY MANNING WILLS

DATED: 10/23/24

\_\_\_\_\_  
/s/  
RICHARD M. CALLAHAN, JR.  
Attorney for Defendant  
CHARISSA MARIE CHOTARD

DATED: 10/17/24

\_\_\_\_\_  
/s/  
ROBERT H REXRODE, III  
Attorney for Defendant  
JULIE ANN ROMERO

DATED: 10/23/24

\_\_\_\_\_  
/s/  
JOHN TARGOWSKI  
Attorney for Defendant  
CYNTHIA VAN VLYMEN

DATED: 10/23/24

\_\_\_\_\_  
/s/  
ADAM F DOYLE  
Attorney for Defendant  
PAGET GARY EKELUND

DATED: 10/23/24

\_\_\_\_\_  
/s/  
DAVID R. SILLDORF  
Attorney for Defendant  
SCOTT JOSHUA VENNUM

1 DATED: 10/23/24 \_\_\_\_\_

/s/  
SHEILA SARAH MOJTEHEDI  
Attorney for Defendant  
MICHAEL ANTHONY CHATTERTON

4 DATED: 10/18/24 \_\_\_\_\_

/s/  
SCOTT ADAM PACTOR  
Attorney for Defendant  
CHRISTOPHER CRAIG

7 DATED: 10/23/24 \_\_\_\_\_

/s/  
SIMON M AVAL  
Attorney for Defendant  
GABRIELA IBARRA

11 DATED: 10/23/24 \_\_\_\_\_

/s/  
DAVID J. KALOYANIDES  
Attorney for Defendant  
RICHARD KEVIN RILEY

14 DATED: 10/23/24 \_\_\_\_\_

/s/  
MICHAEL S EVANS  
Attorney for Defendant  
ADAM L. RODNEY

18 DATED: 10/23/24 \_\_\_\_\_

/s/  
SHAUN KHOJAYAN  
Attorney for Defendant  
TARA JANE BECKWITH

22 DATED: 10/18/24 \_\_\_\_\_

/s/  
DEBRA S WHITE  
Attorney for Defendant  
ALBERT ETHAN EKLUND

25 DATED: 10/23/24 \_\_\_\_\_

/s/  
CARLOS N IRIARTE  
Attorney for Defendant  
CIARA JACOBS

1 DATED: 10/23/24

2 \_\_\_\_\_/s/  
3 STEPHEN G FRYE  
4 Attorney for Defendant  
5 JAMES ALLEN THAEMERT

6 DATED: 10/23/24

7 \_\_\_\_\_/s/  
8 MEGAN A. MAITIA  
9 Attorney for Defendant  
10 DAVID MITCHELL SHAPIRO

11 DATED: 10/23/24

12 \_\_\_\_\_/s/  
13 JEREMY IAN LESSEM  
14 Attorney for Defendant  
15 SEAN CRAIG GLUCKMAN

16 DATED: 10/23/24

17 \_\_\_\_\_/s/  
18 AMY FAN  
19 Attorney for Defendant  
20 CHRISTOPHER MARK PREVEDELLO

21 DATED: 10/23/24

22 \_\_\_\_\_/s/  
23 OLIVER P CLEARY  
24 Attorney for Defendant  
25 HENISI UTSLER

26 DATED: 10/23/24/

27 \_\_\_\_\_/s/  
28 JOHN D. ROBERTSON  
Attorney for Defendant  
REBEKA ANNA BENEDICT

29 DATED: 10/23/24

30 \_\_\_\_\_/s/  
31 ALAN EISNER  
32 Attorney for Defendant  
33 TANYA NURRIA RESNICK